

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

STEVE SACHS, Derivatively On Behalf of) Civil Action No. 04-30032-MAP
WAVE SYSTEMS CORP.,)

Plaintiff,)

vs.)

STEVEN SPRAGUE, GERARD T. FEENEY,)
JOHN E. BAGALAY, JR., NOLAN)
BUSHNELL, GEORGE GILDER AND)
JOHN E. MCCONNAUGHY, JR.,)

Defendants,)

- and -)

WAVE SYSTEMS CORP., a Delaware)
corporation,)

Nominal Defendant.)

JEFF SWANSON, On Behalf of Nominal)
Defendant, Wave Systems, Corp.)

Plaintiff,)

Civil Action No. 04-30038-KPN

Civil Action No. 04-30044-MAP

v.)

STEVEN SPRAGUE, GERARD T. FEENEY,)
JOHN E. BAGALAY, JR., NOLAN)
BUSHNELL, GEORGE GILDER, and JOHN)
E. MCCONNAUGHY, JR.,)

Defendants,)

v.)

WAVE SYSTEMS CORP.,)

Nominal Defendant.)

[Caption continued on following page])

CHARLENE HARVEY, Derivatively On)
Behalf of WAVE SYSTEMS CORP.,)

	Plaintiff,)
)
vs.)
)
STEVEN SPRAGUE, GERARD T. FEENEY,)
JOHN E. BAGALAY, JR., NOLAN)
BUSHNELL, GEORGE GILDER AND)
JOHN E. MCCONNAUGHY, JR.,)
	Defendants,)
)
- and -)
)
WAVE SYSTEMS CORP., a Delaware)
corporation,)
	Nominal Defendant.)

**PLAINTIFFS SACHS & HARVEY'S ASSENTED-TO MOTION FOR LEAVE TO FILE
REPLY TO PLAINTIFF SWANSON'S OPPOSITION TO SACHS & HARVEY'S
MOTION TO CONSOLIDATE CASES AND APPOINT CO-LEAD AND LIAISON
COUNSEL**

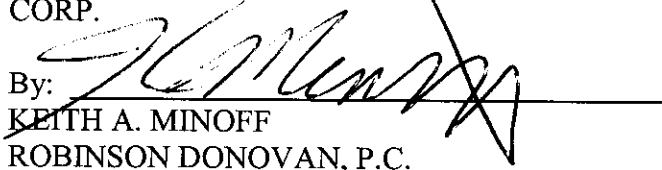
The plaintiffs, Steve Sachs and Charlene Harvey, hereby move pursuant to Local Rule 7.1(B)(3) for leave to file their Reply to the Opposition filed by plaintiff, Jeff Swanson, to plaintiffs, Sachs and Harvey's, Motion to Consolidate Cases and Appoint Co-Lead and Liaison Counsel. In support of this motion, the plaintiffs, Sachs and Harvey, state that the plaintiff, Swanson's, Opposition raises new issues and arguments concerning the appointment of lead and liaison counsel which these plaintiffs should have an opportunity to respond to fully. Accordingly, plaintiffs, Sachs and Harvey, seek to file the attached document which is intended to serve as both an Opposition to plaintiff, Swanson's, Cross-Motion to Consolidate and Appoint Lead and Liaison Counsel and as a Reply to plaintiff, Swanson's, Opposition to plaintiffs, Sachs and Harvey's, Motion to Consolidate Cases and Appoint Co-Lead and Liaison Counsel.

Alan L. Kovacs, Esq., counsel for plaintiff Swanson, assents to the allowance of this Motion.

DATED: April 15, 2004

Respectfully submitted,

THE PLAINTIFFS
STEVE SACHS and CHARLENE HARVEY,
Derivatively on behalf of WAVE SYSTEMS
CORP.

By: 
KEITH A. MINOFF
ROBINSON DONOVAN, P.C.
1500 Main Street, Suite 1600
Springfield, MA 01115
Telephone: 413/732-2301
Facsimile: 413/785-4658
BBO No. 551536

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of
the above document was served upon the
attorney of record for each party by mail/by hand.

Date: 4/15/04 

[Proposed] Liaison Counsel for Plaintiffs

-and-

BRIAN J. ROBBINS
JEFFREY P. FINK
ROBBINS UMEDA & FINK, LLP
1010 Second Ave., Suite 2360
San Diego, CA 92101
Telephone: 619/525-3990
Facsimile: 619/525-3991

LAW OFFICES OF ALFRED G. YATES, JR.
ALFRED G. YATES, JR.
519 Allegheny Building
429 Forbes Avenue
Pittsburgh, PA 15219
Telephone: 800/391-5164
Facsimile: 412/471-1033

[Proposed] Co-Lead Counsel for Plaintiffs

FARUQI & FARUQI, LLP
NADEEM FARUQI
SHANE T. ROWLEY
DAVID H. LEVENTHAL
320 East 39th Street
New York, NY 10016

Telephone: 212/983-9330

Facsimile: 212/983-9331

Attorneys for Plaintiff Charlene Harvey